

## **REMARKS**

Claims 69-82 and 86-103 were pending in the application. Claims 74, 75, 91, 92, 98, and 99 have been canceled. Claims 69, 82, 86, 89, and 90 have been amended. Claim 104 has been added. Claims 69-73, 76-82, 86-90, 93-97, and 100-104 accordingly remain pending in the application.

### **Section 103 Rejections**

All independent claims stand rejected under 35 U.S.C. § 103 as being unpatentable over Schwartz et al. (U.S. Pub. No. 2005/0071625) in view of Harper et al. (U.S. Patent No. 7,197,558). Applicant disagrees with these rejections. Nevertheless, Applicant has amended the claims in order to further prosecution.

Claim 69 recites a “fault management unit configured to receive fault messages generated by [a] switch portion and by [a] service processor portion, including respective fault messages generated by the switch portion and the service processor portion that relate to a common fault.” Claim 69 further recites that “the fault management unit is further configured to perform processing on a received fault message to determine whether to forward the received message to the external management entity via the data interface.” Claim 69 then recites that “the fault management unit is configured to not forward fault messages that relate to a fault for which the fault management unit has already forwarded a fault message to the external management entity.”

The Examiner asserts that Schwartz’s “Remote expansion Enclosure (RXE) cable[] 226” teaches the “fault management unit” of claim 69. *See* Office Action at 3. The Examiner then notes that Schwartz’s cable 226 does not satisfy any of the features of a “fault management unit” and instead relies on Harper for disclosing these features. *Id.*

As discussed in the previous Office Action response, Schwartz is directed to “booting up and configuring multinode computer systems using a scalability management module.” Schwartz ¶ [0002]. To this end, Schwartz discloses a “scalability management module (SMM) 212,” which includes a “master scalability chipset 210,” “Active Switch Mechanism 222,” and “Service Processor 214.” *Id.* at Fig. 2 and ¶¶ [0016] and [0017]. Schwartz also discloses a plurality of

“node[s] 204” that are coupled to “SMM 212” “via two Remote expansion Enclosure (RXE) cables 226.” *Id.* According to Schwartz, “[i]f one of the nodes is removed from the multi-node computer, a hot-spare node [in Schwartz’s system] can be dynamically configured to replace the removed node without having to reconfigur[e] or physically reconnect the remaining nodes.” *Id.* (Abstract).

Harper is directed to processing “network element fault information.” Harper (Abstract). In Harper’s system, an “[e]dge switch 120 can determine network faults corresponding to edge switch 120, communications link 166, and/or CPE 165 and report the network faults to server 150.” *Id.* at 3:62-64. “For example, edge switch 120 can send a network fault report (e.g., a network fault message) to server 150 after determining one or more network faults.” *Id.* at 3:65-67. Notably, Harper’s switch 120 is responsible for identifying the network fault and generating the provided report. *See id.* at 3:62-67.

Applicant submits that the combination of references does not teach a “fault management unit,” as recited in claim 69 for at least the reasons presented below.

As an initial matter, Schwartz does not disclose a “fault management unit” of any sort. Indeed, Schwartz does not even disclose the concept of “fault[s],” much less a unit “configured to receive fault messages,” as recited in claim 69. Although Schwartz does disclose that “SMM 212 directly connects to each node 204, preferably via two Remote expansion Enclosure (RXE) cables 226,” Schwartz does not disclose that the any of the nodes 204 is an “external management entity,” as recited in claim 69. *See* Schwartz Fig. 2 and ¶ [0017]. Accordingly, Schwartz’s cables 226 do not constitute “a fault management unit” as recited in claim 69, at least because they do not “receive fault messages” or “forward the received message[s] to [an] external management entity” as recited in claim 69. Since Schwartz is not concerned at all with “fault[s]” or a “fault management unit,” Harper must teach each and every feature of the “fault management unit” of claim 69 in order for the proposed combination of Schwartz and Harper to establish a *prima facie* case of obviousness. As set forth below, Harper does not account for the deficiencies of Schwartz.

**First**, Harper does not disclose “a fault management unit configured to receive fault messages,” much less those “generated by [a] switch portion and by [a] service processor portion,” as recited in claim 69. Although Harper’s edge switch 120 can generate network fault reports, *see* Harper 3:62-67, the edge switch 120 does not “receive fault messages” from other components, and certainly not from a “switch portion” and a “service processor portion,” as recited in claim 69. Furthermore, claim 69 specifies that the “receive[d] fault messages” include “respective fault messages generated by the switch portion and the service processor portion that relate to a common fault” (emphasis added). Again, while Harper’s edge switch 120 can generate network fault reports, *see* Harper 3:62-67, Harper does not disclose that such reports can include multiple fault messages that “relate to a common fault,” as recited in claim 69.

**Second**, Harper does not teach or suggest “perform[ing] processing on a received fault message” and “not forward[ing] fault messages that relate to a fault for which the fault management unit has *already forwarded a fault message to the external management entity*,” as recited in claim 69. While Harper does disclose using “parameters that can determine at least in part when network fault conditions are to be reported to server 150,” Harper 4:1-3, Harper does not disclose that the edge switch 120 “forward[s] a fault message” and then does “not forward fault messages that relate to a fault for which the fault management unit has already forwarded a fault message,” as recited in claim 69.

Thus, even assuming *arguendo* that Schwartz and Harper are combinable (which Applicant in no way concedes), this combination does not teach or suggest each and every limitation of claim 69. At best, this combination might teach a system for configuring multinode computer systems (using Schwartz) that can also report network faults (using Harper). Such a system would still not disclose (at a minimum) a “fault management unit configured to receive fault messages” and “to perform processing on a received fault message to determine whether to forward the received message to [an] external management entity” as recited in claim 69.

For at least the reasons stated above, claim 69 and its dependent claims are patentably distinct over the cited references. Independent claims 82 and 86 (and their respective dependent claims) are believed to also distinguish over the cited references for at least reasons similar to those provided for claim 69.

## **CONCLUSION**

Applicant respectfully submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5681-85400/DMM.

Respectfully submitted,

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